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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/722,410	11/28/2000	Satoru Okada	723-951	4624

27562 7590 02/10/2004

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EXAMINER

WHITE, CARMEN D

ART UNIT PAPER NUMBER

3714

DATE MAILED: 02/10/2004

SV

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/722,410

Applicant(s)

OKADA ET AL.

Examiner

Carmen D. White

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3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 87-101 and 115-200 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 87-95, 98, 101, 115-166, 169-196, 199 and 200 is/are allowed.
- 6) ☒ Claim(s) 96, 97, 99, 100, 167, 168, 197 and 198 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 09/627,440.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 15 & 17.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 96-97, 99-100, 167-168 and 197-198 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 96 recites the limitation "the scrolling" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 97 recites the limitation "the rotation" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 99 recites the limitation "the fade in/fade out" in line 23. There is insufficient antecedent basis for this limitation in the claim.

Claim 100 recites "the upper left and lower left display coordinates" in lines 2-3. There is insufficient antecedent basis for this limitation in the claim.

Claim 167 recites "the alpha blending" in line 15. There is insufficient antecedent basis for this limitation in the claim.

Claim 168 recites "the fade in/fade out" in line 15. There is insufficient antecedent basis for this limitation in the claim.

Claim 197 recites "the alpha blending" in line 17. There is insufficient antecedent basis for this limitation in the claim.

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Claim 198 recites "the fade in/fade out" in line 17. There is insufficient antecedent basis for this limitation in the claim.

Allowable Subject Matter

Claims 87-95, 98, 101, 115-166, 169-196 and 199-200 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: the prior art of record is silent on the explicit features of the instant claimed memory, which includes the features of *the background data is selectively written to the video random access memory storage as either character data or pixel data so that backgrounds of the game display are selectively rendered in a character mode or in a bitmap mode*"; *"the none-volatile memory device stores instructions that address the video random access memory storage at one or more addresses in an address range from 06000000h to 06017FFFh; the nonvolatile memory device stores instructions that access two allocated frame buffers of the video RAM; the features of alpha blending of plural display; fade in fade out and 16 levels of semi-transparency. Claims 96-97, 99-100, 167-168 and 197-198 would be allowable if rewritten to overcome the 112 2nd paragraph rejections set forth above.*

Examiner's Response

Applicant's arguments regarding claim 87 have overcome the prior art rejection. The examiner has also indicated allowable subject matter, above, regarding the instant claims.

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USPTO Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carmen D. White whose telephone number is 703-308-5275. The examiner can normally be reached on Monday through Friday, 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Carmen White
Patent Examiner, 3714